

Examiner-Initiated Interview Summary

Application No.

09/747,007

Applicant(s)

OUELLET ET AL.

Examiner

David A. Lambertson

Art Unit

1636

All Participants:(1) David A. Lambertson, Ph.D.(2) Nicholas J. Seay.**Status of Application:** _____(3) Conrad Sechley.

(4) _____

Date of Interview: 2 December 2003**Time:** 11:30 am**Type of Interview:**☒ Telephonic☐ Video Conference☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

Claims discussed:

20-27 and 37-40

Prior art documents discussed:

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Applicant's attorney was contacted regarding the cancellation of claims 20-27 and 37-40, previously withdrawn as being drawn to a non-elected invention, in order to expedite the allowance of the application. Approval was given to cancel said claims.

Applicant's attorney was further notified of the deficiency in the priority claim, that it is neither present in an Application Data Sheet nor present in the first line of the specification. Because the application has an actual filing date that is post-November 29, 2000, and more than four months have passed since the filing of the application, the priority claim can only be perfected by submitting a Rule 312 amendment along with a petition and its accompanying surcharge.

Finally, Applicant's attorney was informed that final approval of the allowance of the application was subject to the discretion of a Primary Examiner. In the event that additional issues were raised by the Primary Examiner, a telephone call would be made to Applicant in order to resolve those matters if possible.